City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Agenda

Monday, April 1, 2019

7:00 PM

Council Chambers

Planning Commission

Chair Irina Galieva
Vice Chair Hector Rubio
Commissioner Ken Morrison
Commissioner Susan Tolley
Commissioner Nicole Sacramento

To view webcast of meetings, live or on demand, go the City's website at www.ci.hercules.ca.us.

I. CALL TO ORDER - ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMUNICATION

IV. CONSENT CALENDAR

1. 19-533 **Minutes**
Recommendation: Approve Minutes for Meetings of November 19, 2018, December 3, 2018 and March 18, 2019.

Attachments:
Meeting Minutes - November 19, 2018
Meeting Minutes - December 3, 2018
Meeting Minutes - March 18, 2019 - Regular

V. PUBLIC HEARINGS

1. 19-534 **Design Review Permit No. 19-01** by Hercules Development Partners, LP/Ledcor Corporation, for Bayfront Blocks M, P, and O, to construct two apartment complexes, ranging from 3- to 6-stories, with 325 and 151 units respectively, with internal amenities and a neigbhorhood plaza, park, and paseo.
Recommendation: Conduct a public hearing and adopt Resolution No. 19-03 approving Design Review Permit No. 19-01, including all CEQA findings and Design Review Permit findings.

Attachments:
Staff Report for Bayfront Blocks M-P and O
Att 1 - Draft Resolution No. 19-03 with Conditions
Exhibit A - Implementing Development Agreement - Applicable COAs
Exhibit B1 - Project Plans - Blocks M&P - Part 1
Exhibit B2 - Project Plans - Blocks M&P - Part 2
Exhibit B3 - Project Plans - Block O - Part 1
Exhibit B4 - Project Plans - Block O - Part 2
Exhibit B5 - Linus Pauling (Sheets C-200 & C-201 for Blocks Q & R)
Exhibit C - CEQA Conformity Findings to existing Certified EIR
Exhibit D- Findings with Facts
Att 2 - Traffic Analysis Memos by Fehr & Peers
Att 3-Placeworks Design Review Memo 2-26-2019

VI. DISCUSSION / ACTION ITEMS

VII. PLANNING DIRECTOR REPORTS AND ANNOUNCEMENTS

VIII. COMMISSIONER REPORTS AND ANNOUNCEMENTS

IX. ADJOURNMENT

The next Regular Meeting of the Planning Commission is Monday, April 15, 2019 at 7:00 p.m. at Hercules City Hall, 111 Civic Drive, Hercules, CA.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City's website at www.ci.hercules.ca.us then clicking on the Planning Commission meeting you are interested in. You can also receive an e-notice from the City's homepage. Agendas and staff reports may also be obtained by contacting the Planning Department at (510) 799-8244.

Posted: March 29, 2019 - 5:00 p.m.

COMMISSION STATEMENT OF PURPOSE: The Planning Commission typically meets the first and third Monday of every month; its primary functions are to advise the City Council on policy matters in regard to the growth and development of the City of Hercules and to act on applications for development permits.

SPECIAL ACCOMODATIONS: In compliance with the Americans with Disabilities Act, if you require special accommodations to participate in a Planning Commission meeting, please contact the City Clerk at 510-799-8215 at least 48 hours prior to the meeting.

AGENDA ITEMS: Persons wishing to add an item to an agenda must submit the final written documentation 12 calendar days prior to the meeting. The City retains the discretion whether to add items to the agenda. Persons wishing to address the Commission otherwise may make comments during the Public Communication period of the meeting.

PUBLIC COMMUNICATION: Persons who wish to address the Commission should complete the speaker form prior to the Commission's consideration of the item on the agenda. Speakers will be called after the project applicant has presented the project.

Anyone who wishes to address the Commission on a topic that is not on the agenda and is relevant to the Commission should complete the speaker form prior to the start of the meeting. Speakers will be called upon during the Public Communication portion of the meeting. In accordance with the Brown Act, the Commission may not take action on items not listed on the agenda. The Commission may refer to staff any matters brought before them at this time and those matters may be placed on a future agenda.

In the interests of conducting an orderly and efficient meeting, speakers will be limited to three (3) minutes.

Anyone may also submit written comments at any time before or during the meeting.

CONSENT CALENDAR: All matters listed under Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

PUBLIC HEARINGS: A public hearing enables the public to present information, opinions, and arguments relevant to the actions of the Commission, and informs the public about the details of the proposal.

At the beginning of an item, the Chair will read the description of that item as stated on the agenda. The staff will then give a brief presentation of the proposed project. The Commission may then ask staff questions about the item.

The Chair will open the public hearing and ask the applicant(s) if he or she wishes to make a presentation or statement. Those persons in favor of the project will then be given an opportunity to speak followed by those who are opposed to the project. The applicant(s) will then be given an opportunity for rebuttal.

The public hearing will then be closed, and the Commission may discuss the item amongst themselves and ask questions of staff. The Commission will then vote to approve, deny, approve in a modified form, or continue the matter to a later date for a decision. The Chair will announce the Commission's decision and advise the audience of the appeal procedure.

Persons who wish to speak on matters set for public hearings will be heard when the Chair calls for comments in support thereof or in opposition thereto. After the hearing is closed, there is no further comment permitted from the audience unless invited by the Chair.

The Commission has decided that no public hearings will begin after 11:00 p.m., and that items still remaining on the agenda after 11:00 p.m. will be held over to the next Commission meeting.

LEGAL CHALLENGES: If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered at, or prior to, the meeting. Actions challenging Commission decisions shall be subject to the time limitations contained in the Code of Civil Procedures Section 1094.6.

NOTIFICATION PROCEDURE: Property owners within 300 feet of a proposal will receive a notice of the proposal at least ten (10) days prior to the public hearing. The notice lists the type of application, application number, brief description and location of the project, and the applicant. The City of Hercules subscribes to a service that uses the property owner information from the most recent data on the Contra Costa County Tax Assessor's rolls. Please be aware there often is a time lag for both the tax rolls and this service to be updated.

AGENDA POSTING: The Planning Commission Agenda is posted at least 72 hours prior to the meeting at City Hall, the Hercules Swim Center, Ohlone Child Care Center, and on the City's website (www.ci.hercules.ca.us),

REVIEW OF PUBLIC DOCUMENTS: All Planning applications are public documents, and can be reviewed by the public. These files, however, are not allowed out of the office. Should a member of the public require copies of information contained within the file, a written request must be submitted to the City Clerk's Office. Staff will accommodate the request within ten (10) calendar days. The charge is $0.20 per page. If you require a complete copy of the file, or if staff cannot accommodate your request within ten (10) calendar days, you must make arrangements to bring in a copier or copy service that can make copies without leaving City Hall.

Environmental Impact Reports, Specific Plans, and other project specific documents are made available for the public to review at City Hall at 111 Civic Drive, Hercules CA. Loan copies (limited supply) are available for review, not purchase, at the Planning Department. These documents must be checked out with staff. You will be asked to provide your name, phone number, and a deposit. Persons will be informed of the date and time the document must be returned. You may check out the loan document, but staff will not make a complete copy of the document. Staff will accommodate the request to make photocopies based upon the current workload and availability of personnel to make copies. Costs are outlined in above paragraph.